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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/788,714	02/27/2004	Jayasri Gunaratnam	0108-0253/US/2	6773

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RESEARCH IN MOTION, LTD  
102 DECKER CT.  
SUITE 180  
IRVING, TX 75062

EXAMINER
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CASCA, FRED A

ART UNIT	PAPER NUMBER
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2617

DATE MAILED: 11/27/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No. 10/788,714	Applicant(s) GUNARATNAM ET AL.	
	Examiner Fred A. Casca	Art Unit 2617	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 16 August 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-19, 24 and 25 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-19 and 24--25 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

### DETAILED ACTION

1. This action is in response to applicant's amendment filed on August 16, 2006. Claims 1-19 and 24-25 are still pending in the present application. **This Action is made FINAL.**

### *Claim Rejections - 35 USC § 103*

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-19, and 24-25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Johannesson et al (WO 02/069661 A2), in view of Zhao (US 2005/0059397 A1).

Referring to claim 1, Johannesson discloses a method of selecting a communication network by a mobile station associated with a home communication network having a home mobile country code (MCC) (page 2, lines 14-28, and page 4, lines 14-20), the method comprising: selecting and operating with a communication network having a visiting MCC different from the home MCC of the home communication network (Figures 3-5, and page 5, lines 4-25, "select a better PLMN", "MCC list", "PLMNs within other countries", note that the a different network (with better service) would inherently have a different MCC than the home communication network); after each expiration of a periodic home network timer (page 1, lines 14-23 and page 6, lines, 27-29, "the search could be initialed by a timer", Further note that the

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applicant admits that a HPLMN timer is well known in the art (see page 9 of applicant's remarks));

scanning to identify a plurality of communication networks in a coverage area within which the mobile station is operating (page 4, lines 4-21, "scan and search for a better PLMN"); if the home communication network having the home MCC is identified as being available by the scanning, selecting and operating with the home communication network (Figure 4, and page 6, lines 18-30, "once the preferred PLMN is found, the mobile station changes to the preferred PLMN at step 70", note that once a preferred public land mobile network of the mobile station 10, e.g., a home PLMN associated with one of the provided mobile country codes is identified, the mobile station searches for the home PLMN by scanning for the PLMN, and selects and operates with the home communication network (HPLMN)), and otherwise, if the communication network having the visiting MCC is identified as being available by the scanning, selecting and operating with the communication network having the visiting MCC (figures 4-5, page 6, line 18 through page 7, line 16, note that in the three PLMN of figure 5, the mobile station is moving away from its HPLMN and approaching a non-home PLMN (PLMN B), and once the mobile station enters a coverage area outside the its HPLMN, then it selects a PLMN (PLMN B), and later when the home PLMN becomes available, it selects the home-PLMN. Further note that non-home network having the visiting MCC is inherently identified by the scanning as described on page 6 (mobile station receives at step 55 the mobile country codes of neighboring countries).

Johannesson does not specifically disclose receiving, from the step of scanning, a plurality of mobile network code (MNC) and MCC pairs associated with the plurality of communications networks.

Zhao discloses receiving, from the step of scanning, a plurality of mobile network code (MNC) and MCC pairs associated with the plurality of communications networks (paragraph 0045, "scanning . . . performed . . . which receives a system identification (SID), a Mobile Country Code (MCC), and Mobile Network Code (MNC)").

It would have been obvious to one of the ordinary skills in the art at the time of invention to modify the system of Johannesson by incorporating the teachings of Zhao and consequently providing receiving, from the step of scanning, a plurality of mobile network code (MNC) and MCC pairs associated with the plurality of communications networks, motivation being for the purpose of allowing the selection process to compare the list of MNC and MCC pairs and accurately identify the home MCC network.

Referring to claim 2, the combination of Johannesson/Zhao discloses the method of claim 1, and further disclose the home MCC is associated with a first country and the visiting MCC is associated with a second country which shares a border with the first country (Johannesson, Figures 1 and 5, and page 2, lines 1-10).

Referring to claim 5, the combination of Johannesson/Zhao discloses the method of claim 1, and further disclose the communication networks comprise Public Land Mobile Networks (PLMNs) (Figures 1-5, and page 2, lines 18-28).

Referring to claim 6, the combination of Johannesson/Zhao discloses the method of claim 1, and further disclose the communication networks are operative in accordance with Global Systems for Mobile Communications (GSM) (page 3, lines 20-30).

Referring to claim 7, Johannesson discloses a mobile station associated with a home communication network having a home Mobile Country Code (MCC) (page 2, lines 14-28, and page 4, lines 14-20), the mobile station comprising a wireless transceiver, an antenna coupled to the wireless transceiver, one or more processors coupled to the wireless transceiver (figure 2, page 2, lines 18-28, page 6, lines 18-31, "control logic", "mobile station receives", note the mobile station communicate through a wireless network, hence it comprises a wireless transceiver, an antenna coupled to the wireless transceiver, one or more processors coupled to the wireless transceiver so that selection process is taken place according to the decisions outlined by the processor); said one or more processors being configured to select a communication network through which to communicate by (Figures 3-4, and page 5, lines 4-25, page 6, lines 18-31, "Control logic . . . the mobile station change to the preferred PLMN"); selecting and operating with a non-home communication network having a visiting MCC different from the home MCC of the home communication network (figures 4-5, page 6, line 18 through page 7, line 16, note that in the three PLMN of figure 5, the mobile station is moving away from its HPLMN and approaching a non-home PLMN (PLMN B), and once the mobile station enters a coverage area outside the its HPLMN, then it selects a non-home PLMN (PLMN B), and further note that the a different network (with better service) would inherently have a different MCC than the home

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communication network); after each expiration of a periodic home network timer (page 1, lines 14-23 and page 6, lines, 27-29, "the search could be initialed by a timer", Further note that the applicant admits that a HPLMN timer is well known in the art (see page 9 of applicant's remarks)); scanning to identify a plurality of communication networks in a coverage area within which the mobile station is operating (page 4, lines 4-21, "scan and search for a better PLMN"); if the home communication network having the home MCC is identified as being available by the scanning, selecting and operating with the home communication network (Figure 4, and page 6, lines 18-30, "once the preferred PLMN is found, the mobile station changes to the preferred PLMN at step 70", note that once a preferred public land mobile network of the mobile station 10, e.g., a home PLMN associated with one of the provided mobile country codes is identified, the mobile station searches for the home PLMN by scanning for the PLMN, and selects and operates with the home communication network (HPLMN)); and otherwise, if the communication network having the visiting MCC is identified as being available by the scanning selecting and operating with the communication network having the visiting MCC (figures 4-5, page 6, line 18 through page 7, line 16, note that in the three PLMN of figure 5, the mobile station is moving away from its HPLMN and approaching a non-home PLMN (PLMN B), and once the mobile station enters a coverage area outside the its HPLMN, then it selects a non-home PLMN (PLMN B), and later when the home PLMN becomes available, it selects the home-PLMN. Further note that non-home network having the visiting MCC is inherently identified by the scanning as described on page 6 (mobile station receives at step 55 the mobile country codes of neighboring countries)).

Johannesson does not specifically disclose receiving, from the step of scanning, a plurality of mobile network code (MNC) and MCC pairs associated with the plurality of communications networks.

Zhao discloses receiving, from the step of scanning, a plurality of mobile network code (MNC) and MCC pairs associated with the plurality of communications networks (paragraph 0045, “scanning . . . performed . . . which receives a system identification (SID), a Mobile Country Code (MCC), and Mobile Network Code (MNC)”).

It would have been obvious to one of the ordinary skills in the art at the time of invention to modify the system of Johannesson by incorporating the teachings of Zhao and consequently providing receiving, from the step of scanning, a plurality of mobile network code (MNC) and MCC pairs associated with the plurality of communications networks, motivation being for the purpose of allowing the selection process to compare the list of MNC and MCC pairs and accurately identify the home MCC network.

Referring to claim 8, the combination of Johannesson/Zhao discloses The mobile station of claim 7, and further disclose the home MCC is associated with a first country and the visiting MCC is associated with a second country which shares a border with the first country (Figures 1 and 5, and page 2, lines 1-10).

Referring to claim 11, the combination of Johannesson/Zhao discloses the mobile station of claim 7, and further disclose the communication networks comprise Public Land Mobile Networks (PLMNs) (Figures 1-5, and page 2, lines 18-28).



Referring to claim 12, the combination of Johannesson/Zhao discloses the mobile station of claim 7, and further disclose the communication networks are operative in accordance with Global Systems for Mobile Communications (GSM) (page 3, lines 20-30).

Referring to claim 13, Johannesson discloses a communication system (Figures 1-5, and Abstract) comprising a first communication network having a first Mobile Country Code (MCC) associated with a first country, a second communication network having a second MCC associated with a second country (Figures 1-5, page 2, lines 5-10, page 4, lines 14-31, and page 7, lines 5-16, note that the border of a country inherently comprises two counties where the first PLMN serves the first country and the another PLMN serves the second country. Further note that networks selection of a PLMN includes mobile county code, hence the first network has first MCC, and the second network has a second MCC); one or more mobile stations which are operable with the first and the second communication networks (Figures 1-2, and page 3, line 21 through page 4, line 12, mobile station 10"); the one or more mobile stations having the first communication network designated as its home communication network (Figures 1-2, and 5, and page 4, lines 4-31, and page 7, lines 5-16, ); the one or more mobile stations being operative to select and operate with the second communication network having the second MCC (Figures 3-5, page 7, lines 5-16, page 4, lines 4-21, and page 5, lines 4-25, "scan and search for a better PLMN", "select a better PLMN", "MCC list", "PLMNs within other countries" ); set and run a periodic home network timer while operating with the second communication network (page 1, lines 14-23 and page 6, lines, 27-29, "the search could be initialed by a timer"); after each

expiration of a periodic home network timer (page 1, lines 14-23 and page 6, lines, 27-29, “the search could be initiated by a timer”, Further note that the applicant admits that a HPLMN timer is well known in the art (see page 9 of applicant’s remarks)), scan to identify a plurality of communication networks in a coverage area within which the mobile station is operating (page 4, lines 4-21, “scan and search for a better PLMN”); if the first communication network having the first MCC is identified as being available by the scanning, select and operate with the first communication network (Figure 4, and page 6, lines 18-30, “once the preferred PLMN is found, the mobile station changes to the preferred PLMN at step 70”, note that once a preferred public land mobile network of the mobile station 10, e.g., a home PLMN associated with one of the provided mobile country codes is identified, the mobile station searches for the home PLMN by scanning for the PLMN, and selects and operates with the home communication network (HPLMN)); and otherwise, if the second communication network having the second MCC is identified as being available by the scan, select and operate with the second communication network having the second MCC (figures 4-5, page 6, line 18 through page 7, line 16, note that in the three PLMN of figure 5, the mobile station is moving away from its HPLMN and approaching a non-home PLMN (PLMN B), and once the mobile station enters a coverage area outside the its HPLMN, then it selects a non-home PLMN (PLMN B), and later when the home PLMN becomes available, it selects the home-PLMN. Further note that non-home network having the visiting MCC is inherently identified by the scanning as described on page 6 (mobile station receives at step 55 the mobile country codes of neighboring countries)).

Johannesson does not specifically disclose receiving, from the step of scanning, a plurality of mobile network code (MNC) and MCC pairs associated with the plurality of communications networks.

Zhao discloses receiving, from the step of scanning, a plurality of mobile network code (MNC) and MCC pairs associated with the plurality of communications networks (paragraph 0045, “scanning . . . performed . . . which receives a system identification (SID), a Mobile Country Code (MCC), and Mobile Network Code (MNC)”).

It would have been obvious to one of the ordinary skills in the art at the time of invention to modify the system of Johannesson by incorporating the teachings of Zhao and consequently providing receiving, from the step of scanning, a plurality of mobile network code (MNC) and MCC pairs associated with the plurality of communications networks, motivation being for the purpose of allowing the selection process to compare the list of MNC and MCC pairs and accurately identify the home MCC network.

Referring to claim 14, the combination of Johannesson/Zhao discloses the communication system of claim 13, and further disclose the first country shares a common border with the second country (Figures 1 and 5, and page 2, lines 1-10).

Referring to claim 17, the combination of Johannesson/Zhao discloses the communication system of claim 13, and further disclose the communication networks comprise Public Land Mobile Networks (PLMNs) (Figures 1-5, and page 2, lines 18-28).

Referring to claim 18, the combination of Johannesson/Zhao discloses the communication system of claim 13, and further the communication networks are operative in accordance with Global Systems for Mobile Communications (GSM) (page 3, lines 20-30).

Referring to claim 19, Johannesson discloses a method of selecting a communication network by a mobile station associated with a home communication network having a home mobile country code (MCC) associated with a first country (figure 5, page 2, lines 14-28, and page 4, lines 14-20, note that first country refers to country x in figure 5 and second country is the country y in figure 5), the method comprising: selecting and operating with a communication network having a visiting MCC associated with a second country which shares a border with the first country (Figures 3-4, and page 5, lines 4-25, "select a better PLMN", "MCC list", "PLMNs within other countries", "country x", "country y", note that a border separates country x from country y (100)); setting and running a periodic Home Public Land Mobile Network (HPLMN) timer while operating with the communication network having the visiting MCC (page 1, lines 14-23 and page 6, lines, 27-29), after each expiration periodic HPLMN timer while operating with the communication network having the visiting MCC (page 1, lines 14-23 and page 6, lines, 27-29, "the search could be initialed by a timer", Further note that the applicant admits that a HPLMN timer is well known in the art (see page 9 of applicant's remarks)); scanning to identify a plurality of communication networks in a coverage area within which the mobile station is operating (page 4, lines 4-21, "scan and search for a better PLMN"); and if the home communication network having the home MCC is identified as being available by the scanning, selecting and operating with the home communication network (Figure 4, and page 6, lines 18-

30, "once the preferred PLMN is found, the mobile station changes to the preferred PLMN at step 70", note that once a preferred public land mobile network of the mobile station 10, e.g., a home PLMN associated with one of the provided mobile country codes is identified, the mobile station searches for the home PLMN by scanning for the PLMN, and selects and operates with the home communication network (HPLMN)), and otherwise, if the communication network having the visiting MCC is identified as being available by the scanning, selecting and operating with the communication network having the visiting MCC (figures 4-5, page 6, line 18 through page 7, line 16, note that in the three PLMN of figure 5, the mobile station is moving away from its HPLMN and approaching a non-home PLMN (PLMN B), and once the mobile station enters a coverage area outside the its HPLMN, then it selects a non-home PLMN (PLMN B), and later when the home PLMN becomes available, it selects the home-PLMN. Further note that non-home network having the visiting MCC is inherently identified by the scanning as described on page 6 (mobile station receives at step 55 the mobile country codes of neighboring countries)).

Johannesson does not specifically disclose receiving, from the step of scanning, a plurality of mobile network code (MNC) and MCC pairs associated with the plurality of communications networks.

Zhao discloses receiving, from the step of scanning, a plurality of mobile network code (MNC) and MCC pairs associated with the plurality of communications networks (paragraph 0045, "scanning . . . performed . . . which receives a system identification (SID), a Mobile Country Code (MCC), and Mobile Network Code (MNC)").

It would have been obvious to one of the ordinary skills in the art at the time of invention to modify the system of Johannesson by incorporating the teachings of Zhao and consequently

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providing receiving, from the step of scanning, a plurality of mobile network code (MNC) and MCC pairs associated with the plurality of communications networks, motivation being for the purpose of allowing the selection process to compare the list of MNC and MCC pairs and accurately identify the home MCC network.

Referring to claim 24, the combination of Johannesson/Zhao discloses the method of claim 19, and further disclose the communication networks comprise Public Land Mobile Networks (PLMNs) (Figures 1-5, and page 2, lines 18-28).

Referring to claim 25, the combination of Johannesson/Zhao discloses the method of claim 19, and further disclose the communication networks are operative in accordance with Global Systems for Mobile Communications (GSM) (page 3, lines 20-30).

Referring to claims 3, 9, and 15 and the combination of Johannesson/Zhao discloses the method, mobile station and system of claims 1, 7, and 13 and further disclose the periodic home network timer comprises a Home Public Land Mobile Network (HPLMN) timer (page 1, lines 14-23 and page 6, lines, 27-29, "the search could be initialed by a timer", Further note that the applicant admits that a HPLMN timer is well known in the art (see page 9 of applicant's remarks)).

Referring to claims 4, 10, and 16 the combinations of Johannesson/Zhao disclose the method, mobile station and system of claims 1, 7, and 13, and further disclose setting and

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running the periodic home network timer while operating with the communication network having the visiting MCC (Johannesson, Figures 3-5, and page 5, lines 4-25, "select a better PLMN", "MCC list", "PLMNs within other countries").

### **Response to Arguments**

4. Applicant's arguments with respect to claims 1-26 have been considered but are moot in view of the new ground(s) of rejection.

### **Conclusion**

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

—Otting et al., U.S. Patent. No. 6,567,663 B1, discloses a method for cell selection of mobile telephone apparatus using HPLMN timers.

6. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.


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7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Fred A. Casca whose telephone number is (571) 272-7918. The examiner can normally be reached on Monday through Friday from 9 to 5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lester Kincaid, can be reached at (571) 272-7922. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

8.

  
LESTER G. KINCAID  
SUPERVISORY PRIMARY EXAMINER